## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

SIPCO LLC,	
Plaintiff,	) Civil Case No.: 4:18-cv-2689
v.	) )
EMERSON ELECTRIC CO. and ROSEMOUNT INC.	, ) ) JURY TRIAL DEMANDED
Defendants.	)
	) )

## PLAINTIFF SIPCO LLC'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(1)

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff, SIPCO LLC, ("Plaintiff") through its counsel of record voluntarily dismisses, without prejudice, Defendants Emerson Electric Co. and Rosemount Inc. from the above-entitled litigation. According to Rule 41(a)(1), an action may be dismissed by the plaintiff without a court order by filing a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment. This lawsuit was filed by Plaintiff on August 3, 2018. Defendants Emerson Electric Co. and Rosemount Inc. have been served, but not yet answered the Complaint or filed a motion for summary judgment. Pursuant to the Joint Stipulation and Motion to Continue Stay filed by the parties in Civil Action File No. 1:15-cv-00319-AT, Dkt. No. 274, Plaintiff SIPCO LLC voluntarily dismisses, without prejudice, Defendants Emerson Electric Co. and Rosemount Inc. under Rule 41(a)(1), with each party to bear its own costs, expenses and attorneys' fees.

Dated: October 5, 2018	Respectfully submitted,
	/s/ Roger Brian Craft

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## ATTORNEYS FOR SIPCO LLC

## **CERTIFICATE OF SERVICE**

I certify this document was filed electronically on October 5, 2018. This electronic filing acts to electronically serve all counsel who have consented to electronic service via the Court's CM/ECF system. Any other counsel of record will be served by facsimile transmission and first class mail.

/s/ Roger Brian Craft
Roger Brian Craft